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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,500	12/22/2000	Yuergen Boehmke	00348	9783

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EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/746,500	Applicant(s) BOEHMKE, YUERGEN	
	Examiner Khawar Iqbal	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19, 21-39 and 41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-39 and 41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-19,21-39 and 41 are rejected under 35 U.S.C. 102(e) as being unpatentable by Farris et al (6504907).

1. Regarding claims 1,10,37 and 41 Farris et al teaches a method for communicating one or more dial digits associated with a telecommunication system call record, the dial digits being transmitted from a remote telecommunication device, comprising (abstract, figs. 1-3):

receiving the one or more dial digits (class code) from a plurality of remote telecommunication devices (fig. 2, elements 1A-1F) at a plurality of corresponding switches (13,14,15) in communication with a switch master (20) (col.5, lines 16-30, col. 12, lines 19-50, col. 13, line 61-col. 14, line 9); transmitting the one or more dial digits from the plurality of switches (13,14,15) to the switch master (20) wherein the switch master (20) is in communication with computer system (col.5, lines 16-30, col. 12, lines 19-40, col. 13, lines 25-50);

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transmitting the one or more dial digits from the switch master to the computer system (server 39, "CLASS") (col. 5, lines 15-55, col. 13, lines 25-50, col. 20, lines 1-20); and

storing (fig. 2 server 39, LER 7, and fig. 5, element 55) the one or more dial digits in a database in communication with the computer system (col. 5, lines 16-55, col. 13, lines 1-40, col. 20, lines 1-20);

storing at least one of the one or more dial digits in a table within the database, wherein the table relates to how recently the dial digits were transmitted from any one of the plurality of remote telecommunication devices (col. 5, lines 16-55, col. 13, lines 25-40, col. 21, line 46-col. 22, line 18); and

searching the database for one or more dial digits associated with a telecommunication system (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18, col. 23, lines 1-40).

Regarding claims 19,27,32,33 Farris et al teaches a system for communicating one or more telecommunication call records associated with a telecommunication system, the one or more call records being transmitted from a remote telecommunication device, comprising (figs. 1-3,5):

a telecommunication switch (13-15); and a computing system adapted for communicating with the telecommunication switch, the computing system including one or more computers having one or more processors for executing one or more sets of logic instructions, a memory circuit for storing the one or more sets of logic instructions

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to be executed and a storage device in communication thereto (col. 21, line 47-col. 22, line 52, col. 24, lines 25-39, col. 27, lines 35-55, col. 29, lines 25-36); and

a switch master (20) in communication with the telecommunication switch (13-15) and the computing system (col. 5, lines 15-55, col. 13, lines 25-50, col. 20, lines 1-20);

wherein the one or more sets of logic instructions are executed to cause the computer system to establish a communication link between the computing system and the telecommunication system (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10, see above);

receive the telecommunication call records, and store the telephone call records in the storage device (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10);

store at least one of the one or more telecommunication call records in a table within the storage device, wherein the table related to how recently the telecommunication call records were received (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18); and

search the storage device for one or more telecommunication records associated with a telecommunication system (col. 13, lines 25-40, col. 21, line 46-col. 22, line 18).

Regarding claims 2,11,28,34 and 38 Farris et al teaches wherein receiving the one or more dial digits comprises receiving the one or more dial digits from a telecommunication switch (col.5, lines 16-30, col. 12, lines 19-50, col. 13, line 61-col. 14, line 9).

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Regarding claims 3,12,21,29,35 and 39 Farris et al teaches wherein transmitting comprises transmitting the one or more dial digits from the telecommunication switch to the computing system (col.5, lines 16-30, col. 12, lines 19-40, col. 13, lines 25-40).

Regarding claims 4,13,14,22,30 and 36 Farris et al teaches wherein communicating the one or more dial digits occurs in real-time (col.5, lines 16-30, col. 12, lines 19-40, col. 13, lines 25-50).

Regarding claims 5 and 15 Farris et al teaches wherein receiving the one or more dial digits includes receiving the one or more dial digits from a wireless device (col. 11, line 9, col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 6,16, 23 and 31 Farris et al teaches further comprising analyzing the one or more dial digits received from the telecommunication switch (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 7 and 24 Farris et al teaches wherein analyzing the one or more dial digits further comprises parsing the one or more dial digits (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 8,17 and 25 Farris et al teaches further comprising generating reports associated with the one or more dial digits according to predetermined criteria (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Regarding claims 9, 18 and 26 Farris et al teaches further comprising providing the reports to an output device in communication with the computing system (col. 5, lines 16-55, col. 13, lines 1-10 and 31-41, col. 20, lines 1-10).

Response to Arguments

2. Applicant's arguments filed 8-12-2004 have been fully considered but they are not persuasive. The examiner has thoroughly reviewed applicant's arguments claims but firmly believes the cited references to reasonable and properly meets the claimed limitations. Applicant's primary argument was that Farris fails to disclose, that the switch master receives dial digits from a plurality of switches and that the switch master communicates the plurality of dial digits to the computer system. In regard to applicant's arguments against Farris et al, the examiner considers Farris et al to merely teach the caller 1C dial digits (making call to 1B) associated with surveillance service. The switch 13 transmits a message to RAO 20 for verification, for example, fraud detection. The RAO 20 retrieves profile to check that the surveillance class code of 1B is valid. It is inherently to determined the profile base on the class code. Therefore, the class code is the dial digits dialed by 1C. The RAO 20 operates as the switch master. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is 703-306-3015.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **BANKS-HAROLD, MARSHA**, can be reached at 703-305-4379.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2684 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the Technology Center 2600

Customer Service Office whose telephone number is (703) 306-0377.

Khawar Iqbal

Marsha D. Banks-Harold
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